

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

VICTOR TAGLE,

Plaintiff,

v.

DEPARTMENT OF HOMELAND  
SECURITY,

Defendant.

Case No. 2:15-cv-002506-APG-VCF

**ORDER ON REPORT AND  
RECOMMENDATION**

(DKT. NOS. 2, 4)

On January 11, 2016, Magistrate Judge Ferenbach entered a Report and Recommendation that I dismiss plaintiff Victor Tagle's complaint without prejudice and grant him leave to amend. (Dkt. #2.) Mr. Tagle did not file an objection. Thus, I am not obligated to conduct a de novo review of the Report and Recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to "make a de novo determination of those portions of the report or specified proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

IT IS THEREFORE ORDERED that Judge Ferenbach's Report and Recommendation (**Dkt. #2**) is **accepted** and the complaint is dismissed without prejudice. Plaintiff Victor Tagle shall file an amended complaint—if he can correct the defects pointed out in Judge Ferenbach's Report and Recommendation—within 30 days of entry of this Order. The failure to file an appropriate amended complaint will result in dismissal and closure of this case.

IT IS FURTHER ORDERED that plaintiff's motion for speedy trial (**Dkt. #4**) is **DENIED** as moot.

DATED this 24<sup>th</sup> day of February, 2016.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE